

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**RUTH BRIGGS
SOTONYE BRIGGS
DEBTOR(S)**

§
§
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§

CASE NO. 17-36723

CHAPTER 13

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now Wells Fargo Bank, N.A. (hereinafter "WF"), a secured creditor in the above-entitled and numbered case, filing this Objection to Confirmation of Chapter 13 Plan, and in support hereof represents:

1. The above-styled Debtor(s) filed a voluntary petition under Chapter 13 of Title 11, United States Bankruptcy Code, on December 15, 2017.
2. Debtor(s) is indebted to WF pursuant to a promissory note secured by a recorded instrument granting a security interest in the real property with the address of 3206 Rosemary Park Lane, Houston, Texas 77082 (the "Property").
3. The Property is the Debtor(s)' principal residence.
4. The total debt due and owing to WF as of the date of filing was approximately \$320,155.32, with pre-petition arrearage of approximately \$15,727.84 (the "Claim").
5. Debtor(s) Chapter 13 Plan (the "Plan") as proposed provides only \$6,398.90 to satisfy the pre-petition arrearage portion of the Claim.
6. WF objects to confirmation of the Plan because:
 - a. it does not comply with Section 1322(b)(2) and is not feasible because it understates the amount of the Claim, including, but not limited to pre-petition arrears and the total debt due and owing as of the date of filing.

WHEREFORE, PREMISES CONSIDERED, WF prays that this Court deny confirmation of the Plan, and grant it such other and further relief at law and in equity as is just.

Respectfully submitted,
Bonial & Associates, P.C.

/s/ LynAlise K. Tannery

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following parties in interest either via pre-paid regular U.S. Mail or via electronic notification on or before the 2 day of January 2018:

Debtor's Attorney
John Ernest Smith
John E Smith & Associates
907 S Friendswood Dr Ste 204
Friendswood, Texas 77546-5489

Debtor
Ruth Briggs
3206 Rosemary Park Lane
Houston, Texas 77082-6807

Debtor
Sotonye Briggs
3206 Rosemary Park Lane
Houston, Texas 77082-6807

U.S. Trustee
Office of the US Trustee
515 Rusk Ave., Ste. 3516
Houston, Texas 77002

Chapter 13 Trustee
David G. Peake
9660 Hillcroft, Suite 430
Houston, Texas 77096-3856

Synchrony Bank
c/o PRA Receivables Management, LLC
P.O. Box 41021
Norfolk, VA 23541

17-36723

/s/ LynAlise K. Tannery
Michael J. Burns
LynAlise K. Tannery
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